

03-28-02

Gp/1623

EXPRESS MAIL NO.: EL63210713US



**HOWREY SIMON ARNOLD & WHITE, LLP**  
301 Ravenswood Avenue  
Box 34  
Menlo Park, CA 94025  
(650) 463-8109

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FORM PTO-1083

Attorney Docket No. 03678.0028.US04

**BOX NON-FEE AMENDMENT**  
THE COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

In re application of: **William PENDERGAST, et al.**

Appl. No. 09/531,851

Filed: March 20, 2000

For: **METHOD OF PROMOTING CERVICAL AND VAGINAL SECRETIONS**


Transmitted herewith are the following:

1. PTO Form 1083;
2. Request to Correct Inventorship;
3. Statement From Inventor Being Added;
4. Consent of Assignee to Add An Inventor;
5. Declaration; and
6. Return Receipt Postcard.

xx No additional claim fee is necessary

xx The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing Atty. Dkt. No.: 03678.0028.US04. A duplicate copy of this sheet is attached.

Date: March 26, 2002

  
Albert P. Halluin (Reg. No. 25,227)  
Viola T. Kung (Reg. No. 41,131)



EXPRESS MAIL NO.: EL615210713US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

William PENDERGAST, *et al.*

Appl. No. 09/531,851

Filed: March 20, 2000

For: **METHOD FOR PROMOTING  
CERVICAL AND VAGINAL  
SECRECTIONS**

Art Unit: 1623

Examiner: Not Yet Assigned

Attorney Docket: 36780028US04

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**REQUEST TO CORRECT INVENTORSHIP**

**BOX NON-FEE AMENDMENT**

Commissioner for Patents  
Washington D.C. 20231

Sir:

Applicants are submitting a request to correct inventorship under 37 CFR §1.48(a) to correct inventorship. Applicants request to amend the application to add Benjamin R. Yerxa as an inventor. The correct inventive entity is William Pendergast, Sammy R. Shaver, David J. Drutz, Janet L. Rideout and Benjamin R. Yerxa.

The inventive entity in the Inventor Declaration executed on January 13, and 14, 2000 was set forth in error; such error arose without any deceptive invention on the part of Dr. Yerxa who through error was not named as an inventor.


According to 37 CFR § 1.48(a), this Request is accompanied by:

- (a) A statement from Dr. Yerxa that the error in inventorship occurred without deceptive intention on his part;
- (b) A declaration by the actual inventors as required by § 1.63;
- (c) The fee set forth in § 1.17(i);

(d) The written consent of the assignee.

Respectfully submitted,

Date: March 26, 2002

  
Albert P. Halluin (Reg. No. 25,227)  
Viola T. Kung (Reg. No. 41,131)

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PATENT

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STATEMENT FROM INVENTOR BEING ADDED

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Upon review of the claims pending in the above-referenced application, I, Benjamin R. Yerxa, believe that I am an inventor of the subject matter claimed. The error in failing to name me as an inventor in the above-referenced application arose without any deceptive intention on my part.

Dated: 3/11/02

Ben Yerxa  
Benjamin R. Yerxa, Ph.D.